

80/564277

IN THE UNITED STATES DESIGNATED PATENTED OFFICE 11 JAN 2006

International Application No. : PCT/EP2004/007531
International Filing Date : 08 July 2004 (08.07.2004)
Priority Date(s) Claimed : 11 July 2003 (11.07.2003)
Applicant(s) (DO/EO/US) : Daria ONICHTCHOUK

Title: DG153 SECRETED TREATING PANCREATIC DISEASES AND/OR OBESITY AND/OR METABOLIC SYNDROME

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

- Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
 - within three months of the filing date of a national application other than a CPA under § 1.53(d);
 - within three months of the actual filing date of the national phase of a PCT application; OR
 - before the mailing of a first substantive office action (including after filing of an RCE).
- Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
 - a final rejection under 37 C.F.R. 1.113;
 - termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P. § 609(B)(2); OR
 - a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

- the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
 - a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
- Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:
- a final action under 37 C.F.R. § 1.113;
 - termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P. § 609(B)(2);
 - OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- Copies of materials listed but not attached were cited in an international search report dated April 28, 2005.
- Not required by 37 CFR § 1.98.
- Copies of the materials listed are attached (except for the foregoing).

Non-English Language References

- An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
- A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
 - X = document of particular relevance when it is taken alone
 - Y = document of particular relevance when it is combined with another such document
 - A = document defining the general state of the art
 - O = non-written disclosure
 - P = intercalated document
 - T = document cited to understand the theory or principle underlying the invention
 - E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date
 - D = cited in the application
 - L = cited for another reason
 - & = publication of member of same patent family
- Translation of other relevant information on foreign search report

Other Information

Payment of Fees Due (If Any):

- A check for \$_____ covering the fee identified above is attached.
- Please charge to Deposit Account No. 13-3402 \$_____ for the fee identified above.

800/564-277

AP20 Rec'd PCPA/AM 11 JAN 2006

The Commissioner is hereby authorized to charge or credit any overpayment to Deposit

Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



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Attorney/Agent for Applicants

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Attorney Docket No.: WEICKM-0051

Date: January 11, 2006

AJZ:ssr

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PTO/SB/08A (08-00)

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Substitute for form 1449A/PTO				Complete If Known 10-564277	
				Application Number	USNP OF PCT/EP2004/007531
				Filing Date	08 July 2004 (08.07.2004)
				First Named Inventor	Daria ONICHTCHOUK
				Group Art Unit	unknown
				Examiner Name	unknown
Sheet	1	of	2	Attorney Docket Number	
(use as many sheets as necessary)					

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	001	2002/132978	A1	GERBER, ET AL.	09-19-2002
	002	2002/182198	A1	COMMISSIONG, ET AL.	12-05-2002

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office ³	Number ⁴			
	003	WO	02/074956	A	PRESIDENT NEUROPHARMA INC, ET AL.	09-26-2002
	004	WO	01/19851	A	NEUROTROPHIC BIOSCIENCE INC, ET AL.	03-22-2001
	005	WO	02/079246	A	BOUGUELERET, ET AL.	10-10-2002

Examiner Signature		Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	USN ^E of PCT/EP2004/007531 <i>7</i>
(use as many sheets as necessary)				Filing Date	08 July 2004 (08.07.2004)
				First Named Inventor	Daria ONICHTCHOUK
				Group Art Unit	unknown
				Examiner Name	unknown
Sheet	2	of	2	Attorney Docket Number	WEICKM-0051

NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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